

CITY COUNCIL
RESOLUTION NO.
PLANNED DEVELOPMENT PERMIT/SITE DEVELOPMENT PERMIT NO. 40-0197
TORREY VIEW ESTATES

WHEREAS, ELIZABETH RIIS, Owner, and SORRENTO SAND COMPANY, INC., Permittee, filed an application with the City of San Diego for a permit to create eight (8) lots of a minimum one acre each for the development of custom homes (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 40-0197, on portions of a 11.85 acres site and;

WHEREAS, the project site is located at 4049 Arroyo Sorrento Road in the AR-1-1 zone (proposed AR-1-2 zone) of the Carmel Valley Community Plan area and;

WHEREAS, the project site is legally described as Lot 6 of Sorrento Estates, Map 8735, in the City of San Diego, County of San Diego, and;

WHEREAS, on **KEYBOARD(V13 - DATE)**, the City Council of the City of San Diego considered Planned Development Permit/Site Development Permit No. 40-0197 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of San Diego as follows:

That the City Council adopts the following written Findings, dated **KEYBOARD(V19 - DATE)**.

FINDINGS:

A. Planned Development Permit Findings per Land Development Code section 126.0604.

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project would subdivide an existing 11.85 acre site into 8 lots of a minimum one acre each and create pads for the future development of custom single family homes. The adopted Carmel Valley Community Plan designates the subject property for a combination of Very Low Density Residential (0-5 dwelling units per acre) and open space. The proposed rezoning to the AR-1-2 Zone (one unit per acre) is consistent with the density recommendation of the community plan and consistent with the goal of the Arroyo Sorrento neighborhood to retain the rural one acre residential pattern already established in the area. The most environmentally sensitive portions of the site would remain in open space as recommended by the adopted community plan. Therefore, the proposed development would not adversely affect the community plan.

2. The proposed development will not be detrimental to the public health, safety and

welfare.

Conditions of approval found within the draft Vesting Tentative Map, Planned Development Permit and Site Development Permit address health, safety and general welfare issues. Compliance with applicable building, plumbing, electrical and grading regulations will also be required at the construction phase. The project has been designed to control drainage runoff, and complies with brush management requirements for fire safety. .

3. The proposed development will comply with the regulations of the Land Development Code.

Conditions of the permit and the inclusion of the Design Guidelines assure that the project will meet or exceed the development requirements for the neighborhood zoning. The project meets the requirements of the AR-1-2 zone. The proposed lots range in size from 1.0 acre to 3.30 acres. All lots meet the minimum gross acreage requirement, and proposed development will comply with the height limits, setback requirements, and maximum lot coverage. The lack of public street frontage for three of the lots and use of a common private gated driveway is permitted by the Planned Development Permit ordinance. The proposed development scale and density are consistent with a pattern already established in the neighborhood and the project is in compliance with the applicable regulations of the Land Development Code..

4. The proposed development, when considered as a whole, will be beneficial to the community. The proposed development would benefit the community by continuing a development pattern already established and desired in the neighborhood, while preserving natural habitat on the property. The proposed development would allow the construction of 8 single family homes on the 11.85 acre project site, which is consistent with the very low density land use designation of the Community Plan. Implementation of the Design Guidelines, as required by the project, would ensure that the development be in harmony with the surrounding community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone. The project proposes to subdivide an existing 11.85 parcel into 8 lots of a minimum one acre each for the future development of custom single family homes. As allowed by the Planned Development Permit ordinance, the project proposes a deviation from the required street frontage for three of the eight lots. These three lots, on the southern half of the property, would have access via a private driveway off of Arroyo Sorrento Road, with no frontage on a public right-of-way. The shared frontage and common access driveway proposed for this development is permitted by the Planned Development Permit ordinance, and is often found with PDP approved projects. The gated access meets the criteria of Council Policy 600-42 for Limited and Controlled Access Development (Gated Communities). The shared driveway reduces the landform alteration impacts that the construction of a public street onto the

property would otherwise cause. The requested deviation would be beneficial, since it allows the development of pads in the least sensitive areas of the project site.

B. Site Development Permit Findings per Land Development Code section 126.0504.

A. Findings for all Site Development Permits.

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project would subdivide an existing 11.85 acre site into 8 lots of a minimum one acre each and create pads for the future development of custom single family homes. The adopted Carmel Valley Community Plan designates the subject property for a combination of Very Low Density Residential (0-5 dwelling units per acre) and open space. The proposed rezoning to the AR-1-2 Zone (one unit per acre) is consistent with the density recommendation of the community plan and consistent with the goal of the Arroyo Sorrento neighborhood to retain the rural one acre residential pattern already established in the area. The most environmentally sensitive portions of the site would remain in open space as recommended by the adopted community plan. Therefore, the proposed development would not adversely affect the community plan.

2. The proposed development will not be detrimental to the public health, safety and welfare.

Conditions of approval found within the draft Vesting Tentative Map, Planned Development Permit and Site Development Permit address health, safety and general welfare issues. Compliance with applicable building, plumbing, electrical and grading regulations will also be required at the construction phase. The project has been designed to control drainage runoff, and complies with brush management requirements for fire safety. .

3. The proposed development will comply with the applicable regulations of the Land Development Code.

Conditions of the permit and the inclusion of the Design Guidelines assure that the project will meet or exceed the development requirements for the neighborhood zoning. The project meets the requirements of the AR-1-2 zone. The proposed lots range in size from 1.0 acre to 3.30 acres. All lots meet the minimum gross acreage requirement, and proposed development will comply with the height limits, setback requirements, and maximum lot coverage. The lack of public street frontage for three of the lots and use of a common private gated driveway is permitted by the Planned Development Permit ordinance. The proposed development scale and density are consistent with a pattern already established in the neighborhood and the project is in compliance with the applicable regulations of the Land Development Code..

B. Supplemental Findings - Environmentally Sensitive Lands.

1. The site is physically suitable for the design and siting of the proposed development and the development will result in minimum disturbance to environmentally sensitive lands.

The Torrey View Estates project proposes to subdivide the 11.85 acre project site into 8 lots of a minimum 1 acre each in size for the future development of custom single family homes. Although the project site contains steep slopes and sensitive habitat, the project has been designed to minimize disturbance to the environment. Development would be limited to portions of the site that were previously disturbed by an earlier horse stable operation on the property and to areas that were previously approved for grading under Hillside Review Permit No. 94-0277.

An Environmental Initial Study was completed for the proposed project and it was determined that the project could have a significant environmental impact on Land Use (MSCP Subarea Plan Compliance), Hydrology/Water Quality, Paleontological Resources, and Biological Resources. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program (MMRP) was developed to ensure that the project would not have a significant negative environmental impact. Subsequent to public review of the draft MND, the project design was revised in response to community concerns, and additional mitigation measure were added to the MMRP. A Revised MND was prepared in accordance with CEQA, Implementation of the Mitigation, Monitoring and Reporting Program, as required for the proposed project, would reduce potential impacts to below a level of significance. The site is therefore physically suitable for the proposed development and the project will result in minimum disturbance to environmentally sensitive lands.

2. The proposed development will minimize the alteration of natural landforms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards.

The development proposed with Torrey View Estates project would be sited on portions of the site that were previously disturbed by horse stabling activities or are authorized for grading under a previously approved Hillside Review Permit. Recommended conditions of approval address drainage and geologic issues. Grading is proposed on previously disturbed areas of the site. The house pads would be graded on the flatter portions of the development. Brush management zones would be implemented per the Landscape Standards Manual to reduce fire hazards. The project would not encroach into steep coastal hillsides containing sensitive biological resources or into lands described as viewshed or geological hazards. The proposed development will minimize and reduce erosional forces and flood hazards with the installation of desilting ponds, grass-lined swales, and a floodwater storage easement. The proposed development will therefore minimize the alteration of natural land forms and will not result in undue risk from geologic and erosional forces, flood hazards, or fire hazards;

3. The proposed development will be sited and designed to prevent adverse impacts on any adjacent environmentally sensitive lands.

The project has been designed to minimize disturbance to the environment. The proposed house pads will be located in the disturbed portions of the property. An Environmental Initial Study was completed for the proposed project and it was determined that the project could have a significant environmental impact on Land Use (MSCP Subarea Plan Compliance), Hydrology/Water Quality, Paleontological Resources, and Biological Resources. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program (MMRP) was developed to ensure that the project would not have a significant negative environmental impact. Subsequent to public review of the draft MND, the project design was revised in response to community concerns, and additional mitigation measures were added to the MMRP. A Revised MND was prepared in accordance with CEQA, Implementation of the Mitigation, Monitoring and Reporting Program, as required for the proposed project, would reduce potential impacts to below a level of significance.

3.75 acres of the site were previously reserved for open space preservation via Hillside Review Permit No. 94-0277. This included 1.03 acres running east to west across the center of the property and 2.72 acres at the south edge of the site. This latter area has been added to the MHPA and has connectivity to the larger Neighborhood 8A open space system. An additional 0.36 acres of open space will be added to the on-site open space system by this project for a total of 4.11 acres. Fences will be erected to protect on-site open space from the residential activity areas. The siting and design of the proposed development will therefore prevent adverse impacts to any adjacent environmentally sensitive lands.

4. The proposed development will be consistent with the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan.

The project is consistent with the MSCP Subarea Plan. The proposed project will implement permit conditions with regards to drainage, grading, and lighting to minimize the impacts to the adjacent MSCP/MHPA area. Environmental impacts will be mitigated on-site and steep slopes will be preserved.

5. The proposed development will not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

The project site is located approximately two miles from the shoreline. Conditions of the project require erosion control measures to minimize the potential for stormwater pollution. The proposed project will drain into the City of San Diego storm drainage system and would not contribute to the erosion of public beaches or adversely impact local shoreline sand supply.

6. The nature and extent of mitigation required as a condition of the permit is reasonably related to and calculated to alleviate negative impacts created by the proposed development.

An Environmental Initial Study was completed for the proposed project and it was determined that the project could have a significant environmental impact on Land Use (MSCP Subarea Plan Compliance), Hydrology/Water Quality, Paleontological Resources, and Biological Resources. A draft Mitigated Negative Declaration was prepared, and a Mitigation, Monitoring and Reporting Program (MMRP) was developed to ensure that the project would not have a significant negative environmental impact. Subsequent to public review of the draft MND, the project design was revised in response to community concerns, and additional mitigation measure were added to the MMRP. A Revised MND was prepared in accordance with CEQA, Implementation of the Mitigation, Monitoring and Reporting Program, as required for the proposed project, would reduce potential impacts to below a level of significance.

The proposed project will be reserving a total of 4.11 acres of on-site habitat. A Mitigation, Monitoring and Reporting Program will be implemented over a three year period to monitor transplanting in the onsite MHPA open space area.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the City Council, Planned Development Permit/Site Development Permit No. 40-0197 is hereby GRANTED by the City Council to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 40-0197, a copy of which is attached hereto and made a part hereof.

Vicky Gallagher
Development Project Manager
Development Services

LINDA LUGANO
Legislative Recorder to the
Planning Commission

Adopted on:

C:\dmautop\temp\02-005 Attachment 6.wpd
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